

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
V.)	CRIMINAL NO. P-19-CR-774-DC
)	
THOMAS ALAN ARTHUR,)	
)	
Defendant.)	

**STIPULATION BETWEEN THE UNITED STATES OF AMERICA
AND VANDERBILT MORTGAGE AND FINANCE, INC.**

The United States of America (the "Government") and Petitioner Vanderbilt Mortgage and Finance, Inc., by and through its counsel of record, Monica Schulz Orlando, stipulate and agree as follows, should the real property described below be forfeited to the Government:

1. Petitioner Vanderbilt Mortgage and Finance, Inc. received notice of the Preliminary Order of Forfeiture (Doc. 109) entered in this case and notice of its right to file a petition to property mentioned in that Order under Title 21 U.S.C. §§ 853(n)(1)-(7) and Fed. R. Crim. P. 32.2.

2. Petitioner Vanderbilt Mortgage and Finance, Inc., through counsel, filed its Claim for 1260 Angel Road, Alpine, TX (Doc. 118), asserting that it has a lienholder interest in said property ordered forfeited from the Defendant, hereinafter the Subject Real Property, which is more fully described as:

Real Property located and situated at **1260 Angel Road, San Antonio, Bexar County, Texas**, with all buildings, appurtenances, and improvements thereon and any and all surface and sub-surface rights, title, and interests, if any, and being more fully described as follows:

LOT 15, BLOCK 2, NEW CITY BLOCK 14846, TRADESMAN NORTH INDUSTRIAL SUBDIVISION UNIT 1, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 6200, PAGE 129, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.

3. Based on the distinct facts and circumstances of this case, Petitioner Vanderbilt Mortgage and Finance, Inc. has a secured interest in the property, specifically, a mortgage lien due and owing.

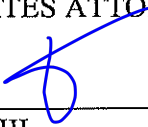
4. In consideration, Petitioner Vanderbilt Mortgage and Finance, Inc. releases and holds harmless the Government and any agents, employees, and servants of the Government (and any state or local law enforcement agencies and their agents, servants, or employees), acting in their official or individual capacities from any and all claims by them and their agents that currently exist or which may arise as a result of the Government's action(s) against or relating to the Subject Real Property, including a petition for remission.

5. Petitioner Vanderbilt Mortgage and Finance, Inc. agrees to the entry of a Final Order forfeiting the Subject Real Property to the Government and providing for payment in full of its secured interest (as described in paragraph 3) next after payment of all costs incurred in protecting and selling the property. Petitioner Vanderbilt Mortgage and Finance, Inc. consents to the drafting and submission of a Final Order (and its accompanying Motion) by the Government, provided that counsel for Vanderbilt Mortgage and Finance, Inc. has the ability to review on same before it gets filed.

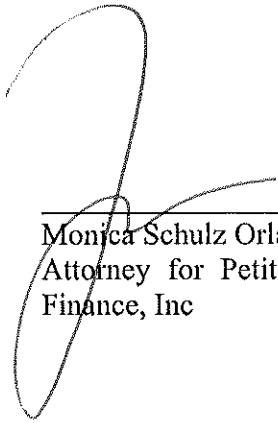
6. The Government and Petitioner Vanderbilt Mortgage and Finance, Inc. will bear their own costs and/or attorney's fees.

STIPULATED AND AGREED TO BY:

ASHLEY C. HOFF
UNITED STATES ATTORNEY



Fidel Esparza III
Assistant United States Attorney



Monica Schulz Orlando
Attorney for Petitioner Vanderbilt Mortgage and
Finance, Inc

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2021 the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant(s):

Lane Andrew Haygood
Haygood Law Firm
522 North Grant Ave.
Odessa, TX 79765
Email: lane@haygoodlawfirm.com

Mark William Bennett
917 Franklin St.
4th Floor
Houston, TX 77002
Email: mb@ivi3.com
(Attorneys for Defendant THOMAS ALAN ARTHUR)

I hereby also certify that the foregoing instrument will be courtesy e-mailed and sent by First Class Mail, Certified Mail, Return Receipt Requested to the following non-CM/ECF participant(s):

Monica Schulz Orlando
1021 Main Street, Suite 1150
Houston, Texas 77002
Email: monicaorlando@orlandollp.com
(Attorneys for Claimant Vanderbilt Mortgage and Finance, Inc.)

/s/

Fidel Esparza III
Assistant United States Attorney